

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

United States of America

v.

Ionia Management, S.A.

Criminal No. 3:07cr134 (JBA)

**RULING AND ORDER ON DEFENDANT'S MOTION  
REQUESTING CLARIFICATION**

On March 3, 2008, the Court issued a ruling and order adjusting Defendant Ionia Management, S.A.'s ("Ionia") criminal fine obligations as follows:

Ionia is ordered to make payment in four equal installments of \$1.225 million each, the first of which is due immediately with accrued interest. The remaining payments are due, with interest, on the one-, two-, and three-year anniversaries of the date of sentencing. In all other respects, including its request to stay its bond obligations, Defendant's motion is denied. Ionia's appeal bond requirements will track the fine payment installment order, unless the initial installment has not been paid by March 10, 2008, in which case bond for the total amount of the fine will be required.

(Ruling & Order, Mar. 3, 2008 [Doc. # 265] at 4.)<sup>1</sup> Ionia seeks clarification [Doc. # 267] of this ruling concerning the relationship between its fine payment schedule and appeal bond obligations. In response [Doc. # 268], the Government points to 18 U.S.C. §§ 3572(h) and 3612(g), under which a fine payment is delinquent and subject to a 10% penalty if more than thirty days late. According to the Government, this statutory penalty should apply here given that Ionia's sentence was imposed on December 14, 2007.

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<sup>1</sup> The Court once again presumes a familiarity with the several previous rulings it has issued in connection with this prosecution. See *United States v. Ionia Mgmt., S.A.*, 526 F. Supp. 2d 319, 322 n.1 (D. Conn. 2007).

The Court hereby grants Ionia's motion [Doc. # 267] and clarifies its March 3, 2008 ruling as follows:

1. In light of (a) the Government's previous representation that fine payments are refundable should Ionia prevail in its appeal and (b) the Court's determination that the fine will be due in installments, Ionia will not be permitted to post an appeal bond in lieu of fine payments.
2. Inasmuch as Ionia is more than thirty days late in fulfilling its fine payment obligations, Ionia shall pay the 10% penalty pursuant to 18 U.S.C. § 3612(g).
3. Ionia shall make the following fine payments on the following dates:

Date	Amount Due
03/10/2008	\$1,225,000 + accrued interest on \$4,900,000 + \$490,000 penalty
12/14/2008	\$1,225,000 + accrued interest
12/14/2009	\$1,225,000 + accrued interest
12/14/1010	\$1,225,000 + accrued interest

4. If Ionia is late in making any of these scheduled payments, the full balance of the outstanding fine plus interest (plus any statutory penalty) shall be due immediately.
5. No appeal bond is required to be posted.

IT IS SO ORDERED.

/s/ \_\_\_\_\_  
Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 7th day of March, 2008.